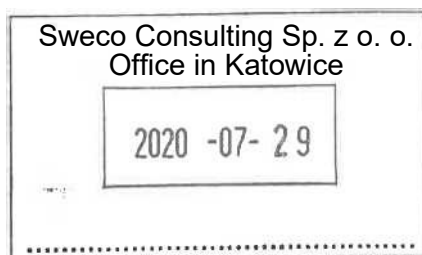




Gorzów Wielkopolski, 23 July 2020

**State
Water Holding
Polish Waters**

**Director of the Catchment Board
in
Gorzów Wielkopolski
PO.ZUZ.1.4210.165m.2020.MK**



DECISION

Based on art. 389 (1) in conjunction with art. 35 (3) (1), art. 389 (6) in conjunction with art. 16 (65) (f), art. 389 (9), in conjunction with art. 17 (1) (3) (b) and (c) and (4) and art. 390 (1) (1) (b), art. 393 (4), art. 397 (3) (2) (a), art. 400 (1) and (6) of the Act of 20 July 2017 – Water Law Act (Journal of Laws of 2020, item 310, as amended), based on (17) (1) of the Regulation of the Minister of Marine Economy and Inland Navigation of 12 July 2019 on substances particularly harmful to water environment and conditions to be met when introducing sewage into water or discharging rainwater or snowmelt to water facilities (Journal of Laws of 2019, item 1311) and in accordance with art. 11d (4) of the Act of 10 April 2003 on special rules of preparing and executing projects involving public roads (Journal of Laws of 2018, item 1474, as amended), having examined the application with the date of receipt by the local authority on 25 May 2020 of the General Director for National Roads and Motorways, represented by the General Directorate for National Roads and Motorways Zielona Góra Branch, ul. Boh. Westerplatte 31, 65-950 Zielona Góra, represented by the attorney Bartosz Kańtoch, Sweco Consulting Sp. z o.o. South Regional Office, ul. Bracka 28, 40-858 Katowice,

Director of the Catchment Board Polish Waters in Gorzów Wielkopolski declares:

I. To grant to the General Director for National Roads and Motorways, represented by the General Directorate for National Roads and Motorways Zielona Góra Branch, ul. Bohaterów Westerplatte 31, 65-950 Zielona Góra, water permit for:

I. Running through surface waters flowing through bridge structures, i.e.:

1. Construction of a temporary three-span road bridge for the duration of the investment along with the technical infrastructure in Kostrzyn nad Odrą at Warta river at 2.472 km, plots no. 2/1 and 2/3, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

a) Technical parameters of the temporary bridge:

- payloads: pedestrian crowd and rolling stock load according to PN-85/S-10030 standard
- temporary bridge light: 236.91 m,
- usable width: pedestrian crowd $s = 2.0$ m,
- overall width: 10.35 m,
- structure span: $80.5 + 80.5 + 80.5 = 241.5$ m,
- bridge length: 242.50 m,
- angle of intersection with the river axis: 88° ,
- bevel of supports: 88° ,
- static diagram: continuous three-span layout,
- structure: steel,
- insulation–surface: based on epoxy resins, thickness at least 10 mm, non-slip,
- expansion joint: required on abutments ± 20 mm,
- bearings: system,
- foundation: intermediate with reinforcement of the ground,
- safety elements: railings $h = 1.2$ m,

- technical infrastructure: sewerage system, water supply (mains) and power cables and possibly telecommunication cables in casing tubes,
- elevation of High Navigable Water (HNW) +13.78 m Kr
- elevation under the navigable span +17.31 m Kr

b) Geodetic coordinates of characteristic points of the temporary bridge (PL-ETRF2000):

- Intersection of the river axis with bridge axis (point MT1): X: 5827870.46 Y: 5475992.34
- Centre of the south abutment (MT2 point): X: 5827781.33 Y: 5475931.68
- Centre of the southern pillar (MT3 point): X: 5827850.77 Y: 5475978.94
- Middle of the north pillar (MT4 point): X: 5827920.21 Y: 5476026.21
- Middle of the north abutment (MT5 point): X: 5827983.87 Y: 5476069.54

2. Construction of a three-span road bridge with technical infrastructure in Kostrzyn nad Odrą at Warta river at 2.45 km, plots no. 2/1 and 2/3, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

a) Technical parameters of the bridge:

- structure span: 75.0+150.0+75.0 = 300.0 m,
- horizontal bridge light: 293.5 m,
- total width: approx. 17.1 m, including roadway: 2 lanes with a width of 3.5 m, 2 bands with a width of 0.5 m, 2 pedestrian and bicycle routes with a width of 2.5m,
- bridge length: 317.7 m,
- angle of intersection with the river: 90°,
- bevel of supports: 90°,
- static diagram: box bridge continuous three-span of an extradosed type,
- construction: concrete, in which part of the compression cables is routed over supports (outside the girder cross-section), which are made in the form of low pylons and play the role of so-called deflectors,
- surface: wearing course – BBTM8 thickness 30 mm, binder layer – mastic asphalt 40 mm thick,
- insulation: torch-on membrane 5 mm
- dehydration: surface – transverse and longitudinal slopes; drainage of slab insulation platform; kerb drains; drainage collector outside the facility,
- expansion joint: modular sealed,
- bearings: cup,
- foundation: intermediate on drilled piles,
- traffic safety elements: road safety barrier A/H2/W1, railings h=1,2 m,
- technical infrastructure: stormwater drainage system, combined sewage system, water supply, foul water drainage system, gas pipeline network, road lighting, LV and MV power networks, telecommunication network,
- elevation of HNW +13.78 Kr
- elevation under the navigable span +19.03 Kr

b) Geodetic coordinates of characteristic points of the bridge (PL-ETRF2000):

- Intersection of the river axis with bridge axis (point MI): X: 5827884.99 Y: 5475976.36
- Centre of abutment in axis 1 (point M2): X: 5828024.64 Y: 5476067.34
- Centre of pillar in axis 2 (point M3): X: 5827961.80 Y: 5476026.40
- Centre of pillar in axis 3 (point M4): X: 5827836.12 Y: 5475944.52
- Centre of abutment in axis 4 (point M5): X: 5827773.28 Y: 5475903.58

c) Navigation signs:

- ref. A10: Prohibition to go beyond the gauge specified by the tables,
- ref. C2: Limited clearance above the water table to 5.25 m,
- ref. C3: Limited width of the route or navigable channel to 50 m,
- ref. D1a: Recommendation to move in both directions.

d) Light signals:

- light signal A1: prohibition of passage,
- light signal D1a: recommendation to move in both directions,
- light signal D2: recommendation to stay within the indicated area.

II. Execution of the water facilities, i.e.:

1. Demolition of the existing five-span road bridge in Kostrzyn nad Odrą at Warta river at 2.45 km, plot no. 268/2; 346/11; 394/82; 345/3, precinct 0004 Śródmieście and 2/1; 2/3; 64 precinct 0006 Stare Miasto, registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

- a) Basic geometric parameters of the existing structure:
- Year of construction: unknown
 - Effective spans: 30.5+34.0+38.0+34.0+30.5
 - Bridge length: 178.5 m
 - Angle of intersection with obstacle: ~90°
 - Elevation of the span bottom above the HNW level: 3.90m
 - Level of the HNW table in the bridge cross-section (Kronstadt 86): 13.78 Kr
 - Class of waterway: II

b) Geodetic coordinates of the existing bridge (PL-ETRF2000):

- Intersection of the river axis with bridge axis: X: 5827870.46 Y: 5475992.34
- Centre of the south abutment: X: 5827828.11 Y: 5475939.46
- Centre of the north abutment: X: 5827988.19 Y: 5476043.23

2. Execution of the outlet of the storm water drainage system W1, plots no. 62 and 2/1, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

a) Basic technical and operational parameters:

- outlet diameter: Ø300 mm
- outlet bottom elevation: ~+14.00 m Kr

b) Geodetic coordinates of the water facilities (PL-ETRF2000) (W1):

X: 5827764.93 Y: 5475877.33

3. Execution of the outlet of the storm water drainage system W2, plot no. 2/1, locality 0006 Stare Miasto and 346/11 locality 0004 Śródmieście, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

a) Basic technical and operational parameters:

- outlet diameter: Ø300 mm
- outlet bottom elevation: ~+10.90 m Kr

b) Geodetic coordinates of the water facilities (PL-ETRF2000) (W2):

X: 5827959.12 Y: 5476009.06

4. Execution of the temporary outlet of the storm water drainage system WT, plots no. 64 and 2/3, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

a) Basic technical and operational parameters:

- outlet diameter: Ø300 mm
- outlet bottom elevation: ~+12.00 m Kr

b) Geodetic coordinates of the water facilities (PL-ETRF2000) (WT):

X: 5827788.94 Y: 5475933.78

5. Execution of the temporary HP pipe culvert at the foot of the temporary embankment, plot no. 2/3, locality 0006 Stare Miasto, registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province:

a) Basic technical and operational parameters:

- culvert dimension: 3.23x2.20 m
- culvert bottom elevation: ~+10.00 m Kr

5. The limit values for the concentrations of pollutants discharged in rainwater or snowmelt shall not exceed:

General suspensions \leq 100 mg/l
Petroleum hydrocarbons \leq 15 mg/l

IV. Location in the area of particular flood risk, where the risk of flood is:

**medium – once per 100 years – water level at p=1% is approx. 14.74 m a.s.l.,
high and is once per 10 years – water level at p=10% is approx. 13.94 m a.s.l.,
new building structures, i.e.**

1. Construction of Somer's Island located on the final leg of Postomia river, as part of compensatory actions on plot no. 2/2, locality 0005 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province,
2. Temporary three-span road bridge, executed for the duration of the investment along with the technical infrastructure over the Warta river at km 2.472, plots no. 2/1 and 2/3, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province,
3. Three-span road bridge with technical infrastructure over the Warta river at 2.45 km, plots no. 2/1 and 2/3, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province,
4. The outlet of the storm water drainage system W1, plots no. 62 and 2/1, locality 0006 Stare Miasto, the registered unit of the town of Kostrzyn nad Odrą, Gorzów district, Lubuskie province. A return flap valve is planned at the outlet,
5. The outlet of the storm water drainage system W2, plot no. 2/1 locality 0006 Stare Miasto and 346/11 locality 0004 Śródmieście, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province. A return flap valve is planned at the outlet,
6. The temporary outlet of the storm water drainage system WT, plots no. 64 and 2/3, locality 0006 Stare Miasto, the registration unit of the town of Kostrzyn nad Odrą, Gorzów district, Lubuskie province. A return flap valve is planned at the outlet,
7. The temporary HP pipe culvert at the foot of the temporary embankment, plot no. 2/3, locality 0006 Stare Miasto, the registration unit of the city of Kostrzyn nad Odrą, Gorzów district, Lubuskie province.

V. Obligate the applicant to:

1. Execution of the works covered by the permit in accordance with the conditions set out in this decision and the water documentation, taking into account the requirements contained in individual agreements, permits and decisions.
2. Perform the works covered by the permit in accordance with the technical and construction regulations, taking into account the principles of technical knowledge, in order to ensure that the requirements concerning the safety of the structure, the safety of use and the possibility of maintaining the proper technical condition are met.
3. Comply with the prohibitions in force in areas of particular flood risk by: prohibiting the accumulation of waste, animal manure, chemicals and other substances or materials likely to contaminate water, and prohibiting the recovery or disposal of waste, and in particular its storage.
4. Cover any losses that may be incurred by third parties in exercising the rights covered by this permit.
5. Protection of surface water against pollution that may arise as a result of the performed works, and possible pollution should be immediately removed from the water surface.
6. Notify the Director of the Regional Water Management Authority in Poznań and the Head of Water Supervision Polish Waters in Gorzów Wielkopolski and Kostrzyn nad Odra about the date of commencement and completion of construction works.
7. During the works, the following protective measures should be observed:
 - a) locate the construction site, warehouses and car parks away from the riverbed and other surface waters,
 - b) maintain order on the construction site (appropriate number and location of waste containers, sanitary facilities, proper material management),
8. After construction of the bridge, the temporary bridge should be dismantled, the area restored to the previous condition.
9. Conclusion of a loan agreement for the disposal of land covered with inland water flowing the Warta river with the State Water Holding Polish Waters, represented by the Director of the Regional Water Management Authority in Poznań.

VI. Disclaim that:

1. In the event of finding the facts and situations specified in Articles 415 and 417 of the Water Law Act, this permit may be revoked or limited on the terms adopted in the above-mentioned regulations.
2. The water permit neither confers any title to the properties or water equipment necessary for its implementation nor infringes the ownership or entitlements of third parties to such property or equipment.
3. For losses resulting from the impact of Warta river waters, including flood water, the applicant is not entitled to any claim against the river owner.
4. The decision does not exempt the applicant from compliance with the requirements specified in separate regulations, e.g. the Geodetic and Cartographic Law Act, the Construction Law Act and the Nature Conservation Act and regulations issued on the basis of these acts, and does not authorize the commencement of the works without fulfilling the obligations resulting from these regulations.
5. The water permit expires if the plant has not commenced the construction of the water facilities within 3 years from the date when the water permit for the construction of these facilities became final.

VII. Determine the validity of the water permit for the construction of the water facilities for an indefinite period.

VIII. Establish the validity of the water permit for locating new buildings in areas of particular flood risk for an indefinite period.

IX. Establish the validity of the water service permit for a period of 30 years from the date the decision became final.

JUSTIFICATION

On 25 May 2020, the Director of the Catchment Board Polish Waters in Gorzów Wielkopolski received a request dated 22 May 2020 of the General Director for National Roads and Motorways, represented by the General Directorate for National Roads and Motorways Zielona Góra Branch, ul. Boh. Westerplatte 31, 65-950 Zielona Góra, represented by the attorney Bartosz Kańtoch, Sweco Consulting Sp. z o.o. South Regional Office, ul. Bracka 28, 40-858 Katowice, to issue a water permit as part of the investment project entitled *Expansion of the National Road No. 31 as part of the Task titled: Demolition and construction of the road bridge at 107+211 km of national road No. 31 in Kostrzyn nad Odrą (at 2.45 km of the river Warta) implemented as part of the Odra-Vistula Flood Management Project – Task 1B.5 Reconstruction of bridge to ensure a minimum clearance.*

An application needed to be supplemented, so with the letter ref. no.: PO.ZUZ.1.4210.165m.2020.MK of 28 May 2020. The Director of the Catchment Board Polish Waters in Gorzów Wielkopolski called on the basis of art. 64 (2) of the Code of Administrative Procedure (Journal of Laws of 2020, item 256, as amended) to fill formal gaps.

On 09 June 2020, the local management received a letter of 03 June 2020, in which the party made appropriate additions.

Pursuant to art. 11d (4) of the Act of 10 April 2003 on special rules of preparing and executing projects involving public roads (Journal of Laws of 2018, item 1474, as amended), Article 396 (1) (7), Article 407 (2) (3) and Article 422 (3) of the Act of 20 July 2017 shall not apply in cases concerning water law consent – Water Law Act. In order to determine the legal status of the property referred to in Article 409 (1) (2) (e) of the Act of 20 July 2017 – Water Law Act, the registered offices and the addresses of the owners of these properties were determined according to the mortgage register.

The application submitted, after completion, met the requirements of Article 407 (1) and (2), Article 408 and Article 409 of the Water Law Act, therefore, on the basis of Article 61 (4) of the above-mentioned Act, the Code of Administrative Procedure, the Director of the Catchment Board Polish Waters, by letter dated 16 June 2020, ref. no.: PO.ZUZ.1.4210.165m.2020.MK informed the Plenipotentiary of the Applicant about the initiation of administrative proceedings, as well as on the basis of art. 10 (1) of the Code of Administrative Proceedings, he informed about the possibility to read the materials of the case, submit comments and submit requests within 14 days from the date of receipt of the notification. The other parties to the proceedings, pursuant to Article 49 of the Code of Administrative Procedure and Article 401 (3) and (4) of the Water Law Act, were notified by a public notice, of 16 June 2020, ref. no.: PO.ZUZ.1.4210.165m.2020.MK, at the registered office of the Catchment Board at the headquarters of the Water Supervision Polish Waters in Gorzów Wielkopolski and Kostrzyn nad Odrą, as well as at the headquarters of the District Office in Gorzów Wielkopolski and the Municipal Office of Kostrzyn nad Odrą, as appropriate due to the scope of water use and on the entity websites of

The Public Information Bulletin of these authorities and on the website of the Public Information Bulletin of the State Water Holding Regional Water Management Authority in Poznań for a period of 14 days.

Neither party submitted any comments or requests before the decision was issued.

The Director of the Catchment Board Polish Waters in Gorzów Wielkopolski, after analysing the documentation, states the following.

The water law survey submitted to the application shows that the project involves demolition of the existing one and construction of a new road bridge at 107+211 km of national road no. 31, through the Warta river in Kostrzyn nad Odrą and drainage of rainwater and melting water from the bridge structure and surrounding streets to the Warta river through newly constructed storm drainage outlets. The construction of the bridge also includes the reconstruction and construction of the necessary technical equipment: gas pipeline, water supply, telecommunication network, electrical network, sanitary and stormwater drainage systems. In addition, the Somer's Island will be built by making a sandstone bedspread and strengthening the edges. During demolition and construction of the new bridge, car and pedestrian traffic will take place on the temporary bridge built. The project is carried out as part of the investment project entitled *Expansion of the National Road No. 31 as part of the Task titled: Demolition and construction of the road bridge at 107+211 km of national road No. 31 in Kostrzyn nad Odrą (at 2.45 km of the river Warta) implemented as part of the Odra-Vistula Flood Management Project – Task 1B.5 Reconstruction of bridge to ensure a minimum clearance*. The investment is aimed at flood protection of the areas adjacent to the Oder and Warta river by raising the bridge in order to allow the flow of ice-breaking units underneath it, which will facilitate ice-breaking on the Oder and Warta rivers and ensure the possibility of an unrestricted flow of ice-floe.

In the course of the proceeding, on the basis of flood risk maps and information contained in the aquatic legal survey, it was established that the planned investment project is located in the area of particular flood risk, within the meaning of art. 16 (34) (a) and (b) of the Water Law Act, i.e. the area where the risk of flood is high and is once per 10 years ($p = 10\%$) and in the area where the risk of flood is average and is once per 100 years ($p = 1\%$). Flood water level for the investment area at $p = 1\%$ is approx. 14.74 m a.s.l., and for $p = 10\%$ the water level is approx. 13.94 m a.s.l.

The project is located within the boundaries of protected areas under the Nature Conservation Act of 16 April 2004 (i.e. Journal of Laws of 2020, item 55), i.e. Warta Mouth Landscape Park, within the Natura 2000 area 'Warta Mouth' (PLC080001), a special protection area for birds, within Warta Mouth Landscape Park. The project will not have a significant negative impact on the objects protected in the Warta Mouth Natura 2000 area, will not impair the cohesion of the Natura 2000 network, will not violate the bans in force in Warta Mouth Landscape Park and will not permanently impair the conservation status of Warta Mouth formations, resources and components. In addition, for the investment in question, which is included in the catalogue of projects that may potentially affect the environment, pursuant to (3) (1) (62) and (68) of the Regulation of the Council of Ministers of 10 September 2019 on projects that may significantly affect the environment (Journal of Laws, item 1839), the Mayor of Kostrzyn nad Odrą issued the environmental permit on 14 February 2010, ref. no. GK.6220.9.2018.SSt, specifying the environmental permit for the planned project.

The site of the planned project is located:

- in the body of surface water (JCWP) area, code JCWP – PRLW6000211899 and named 'Warta from Noteć to the Mouth'. The status of this body of water is defined as a heavily modified body of water whose status is assessed as poor. The environmental objective is to achieve a good ecological status, the possibility of migration of aquatic life in the section of the important watercourse, and a good chemical status. Risks of not achieving the environmental objectives have been identified as at risk. The extension of a time-limit for achieving the environmental targets until 2027 was granted due to a lack of technical capacity, indicating that no pressure has been identified in the JCWP catchment area that may be the cause of exceeding quality indicators. It is necessary to make a detailed diagnosis of the causes in order to properly plan corrective actions.

- in the area of the Body of Surface Water (JCWP), code JCWP – PRLW60002418969 and named 'Postomski Canal from Rudzianka to the Mouth.'

The status of that body of water is defined as the natural body of water whose status is assessed as poor. The environmental objective is to achieve good ecological status and a good chemical status. Risk of non-achieving the environmental objectives is at risk. The Odra River Basin Management Plan 2016–2021 allows for an extension of a time-limit for achieving the environmental objectives until 2021 due to the lack of technical possibilities. As a justification for this derogation, it was indicated the necessity to make a detailed diagnosis of the causes in order to properly plan

corrective actions.

- in the area of groundwater of European code JCWPd GW600059.

The environmental objective is to achieve a good chemical condition and a good quantitative status. Risk of non-achieving the environmental objectives is at risk. The Odra River Basin Management Plan 2016–2021 allows for an extension of a time-limit for achieving the environmental objectives until 2027 due to the lack of technical possibilities. As a justification for this derogation, changes in water chemistry were indicated, which are related to insufficiently treated municipal wastewater, too low level of sewerage, especially in rural areas, landfills not meeting environmental protection requirements, and low emission of dust and gas pollutants from households – both in cities and in rural areas. The action programme provides for all possible measures to reduce the inflow of urban pollutant into waters. However, due to the time needed for the implementation of actions, as well as the time needed for the implemented actions to bring measurable results, good status can be achieved by 2027.

Taking into account the nature and scale of the impact, the applied solutions and technologies and assuming the implementation of the conditions specified in the operative part, it is concluded that there is no possibility of significant impact on the water bodies within the scope of impact and there is no negative impact of the project in question, posing a threat to the achievement of the environmental objectives referred to in Articles 56, 57 and 59 of the Act of 20 July 2017 – Water Law Act, specified for these water bodies in the “Odra River Basin Management Plan”, adopted by the Regulation of the Council of Ministers of 18 October 2016 (Journal of Laws of 2016, item 1967).

After analysing the evidence and materials collected in the case, the Authority stated that the requested scope of the water permit does not violate the findings of the documents referred to in Article 396 (1) (1)–(7), and meets the requirements referred to in Article 396 (1) item 8 of the Water Law Act, therefore no contraindications to its granting were found.

This water permit was issued on the basis of the following provisions of the Act of 20 July 2017 – Water Law Act:

- article 16, (65) (f) – indicating that the outlets of sewage systems used for discharging sewage into water, ground or water facilities and outlets used for discharging water into water, ground or water facilities constitute a type of water facilities;
- article 17 (1) (3) (b) – stating that the provisions of the Act concerning the water facilities apply accordingly to bridges, pipelines, power lines, telecommunications lines and other equipment, including associated infrastructure, run by surface water and flood dams;
- article 17 (1) (3) (c) – stating that the provisions of the Act concerning the water equipment apply accordingly to works in waters and other works which may cause changes in natural water flows, standing water status and groundwater status outside the boundaries of the groundwater property on which these works are carried out;
- article 17 (1) (4) – stipulating that the provisions of the Act concerning the construction of water facilities apply accordingly to the reconstruction, extension, superstructure, reconstruction, demolition or liquidation of these devices, excluding works related to the maintenance of water devices in order to preserve their function;
- article 35 (3) (7) – stating that water services include discharges to water or to water facilities, rainwater or melting water, included in open or closed rainwater sewage systems used for discharging precipitation or in collective sewage systems within the administrative boundaries of cities;
- article 389 (1) – stating that a water permit is required for water services;
- article 389 (6) – stating that the execution of a water device requires a water law permit;

- article 389 (9) – indicating that the passage of bridge structures, pipelines, conduits in casing pipelines or culverts through surface waters and flood dams requires obtaining a water law permit;
- article 390 (1) (1) (b) – stating that a water permit is also required for locating new construction works in areas of particular flood risk;
- article 393 (4) – indicating that the water permit neither confers any title to the properties or water equipment necessary for its implementation nor infringes the ownership or entitlements of third parties to such property or equipment. This information shall be included in the water permit;
- article 397 (3) (2) – informing that the competent authority for such water permits is the Director of the Catchment Board Polish Waters;
- article 400 (1) – stipulating that the water permit shall be issued by means of a decision for a fixed period of not more than 30 years from the date on which the decision became final;
- article 400 (6) – indicating that the obligation to determine the period for which a water permit is issued does not apply to water permits for the execution of water devices, water permits for water regulation and water permits for the execution of works or building structures affecting the reduction of natural field retention,

and based on (17) (1) of the Regulation of the Minister of Marine Economy and Inland Navigation of 12 July 2019 on substances that are particularly harmful for the water environment and conditions to be met when introducing sewage into water and discharging storm water or snow melt to waters or to water facilities (Journal of Laws of 2019, item 1311), in accordance with art. 11d (4) of the Act of 10 April 2003 on special rules of preparing and executing projects involving public roads (Journal of Laws of 2018, item 1474, as amended) and in reference to Article 104 of the Law of 14 June 1960 The Code of Administrative Procedure stipulating that the Public Administrative Authority shall settle the case by issuing a decision, which shall settle the case in its entirety, terminating it at a given instance.

The conducted administrative proceedings have demonstrated the validity of issuing this water permit.

The party may appeal against this decision to the Director of the Regional Water Management Authority of Polish Waters in Poznań through the Director of the Catchment Board Polish Waters in Gorzów Wielkopolski to the following address: 66-400 Gorzów Wielkopolski, ul. Walczaka 25a, within 14 days of the date of its delivery.

It is therefore ruled as stated in the conclusion of the decision.




 (personal stamp and signature of the person authorised to issue the decision)

INSTRUCTION

Pursuant to Article 127a (1) (2) of the Code of Administrative Procedure – during the time for submitting the appeal, a Party may waive the right to appeal against the public administration authority which issued the permit. The decision shall become final and binding on the date the public administration authority receives the statement of waiver of the right to appeal from the last of the Parties to the proceedings.

Pursuant to art. 130 (4) of the Code of Administrative Procedure, a decision shall be enforceable before the expiry of the term to bring an appeal if it is in accordance with the request of all parties or if all parties have waived their right to bring an appeal.

In accordance with Article 414 (1) item 3 of the Act of 20 July 2017 – Water Law Act (Journal of Laws of 2020, item 310, as amended), the water permit expires if the Applicant has not commenced the execution of the water facilities within 3 years from the date when the water permit for the execution of these facilities became final.

Recipients:

- 1) Mr Bartosz Kańtoch, Sweco Consulting Sp. z o.o. South Regional Office, ul. Bracka 28, 40-858 Katowice
- 2) **Other parties to the proceedings pursuant to Article 401 (4) of the Act of 20 July 2017 – Water Law Act**
- 3) Aa x 2(MK)

Copy to:

1. PGW Polish Waters – Regional Water Management Authority in Poznań, ul. Chlebowa 4/8, 61-003 Poznań (RZI)

Pursuant to Article 398 (3) of the Act of 20 July 2017 – Water Law Act (Journal of Laws of 2020, item 310, as amended), a fee was charged for issuing the permit in the amount of PLN 2473.68. The fee was paid on 03 June 2020 to the account of Polish Waters. Confirmation of payment of the fee is included in the case file.



State Water
Holding
Polish Waters

PO.ZUZ.1.4210.165m.2020.MK_ED

Mr Bartosz Kańtoch,
SWECO Consulting Sp. z o.o.
South Regional Office
ul. Bracka 28
40-858 Katowice

Director of the Polish Waters Catchment Board in Gorzów Wlkp, in response to the letter of 30.07.2020 ref. no.: POPDOW-ZP.064.38.2020, regarding the request for interpretation of the provisions of the decision of the local authority of 23.07.2020 ref. no.: PO.ZUZ.1.4210.165m.2020.MK confirms that the provision of point V (7) (a) obliging the applicant to locate the construction base, warehouses and car parks away from the riverbed and other surface waters, is identical to the position of the Minister of Marine Economy and Inland Navigation presented in the decision of 2.04.2019 ref. no.: DOK.DOK.2.9751.1.2.2019.SK indicating the location of the construction facilities outside the riverbed.

UNDER THE AUTHORITY OF THE

DIRECTOR


ARTUR RADZIŃSKI
DEPUTY DIRECTOR

(personal stamp and signature of the person authorized to issue the notice)

Recipients:

- 1) Addressee
- 2) Aa (MK_ED)

We would like to inform you that we process your personal data and apply the policy of their protection in accordance with GDPR and national regulations. Providing your personal data is voluntary, but it is necessary for the provision of services provided by our company. More information can be found on our website: www.poznan.rzgw.gov.pl

Director

State Water Holding Polish Waters
Catchment Board in Gorzów Wielkopolski,
ul. Walczaka 25A, 66-400 Gorzów Wielkopolski
Phone +48 (95) 725 61 53 • E-mail: zz-gorzowwielkopolski@wody.gov.pl www.wody.gov.pl